

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

CHERYL L. ROSINE,

CV 07-6271-MA

Plaintiff,

JUDGMENT

v.

MICHAEL ASTRUE,
Commissioner of Social
Security,

Defendant.

Based on the record and the Opinion and Order filed herewith, the decision of the ALJ is reversed and remanded for further proceedings, during which the Commissioner shall determine whether Dr. Smythe's diagnosis that plaintiff suffers from a severe major depressive disorder, that, in combination with her other severe disorders, would render her unable to engage in substantial gainful activity.

IT IS SO ORDERED.

DATED this 15 day of October, 2008

/s/ Malcolm F. Marsh
Malcolm F. Marsh
United States District Judge

